



USER'S GUIDE TO THE HERNDON ZONING ORDINANCE

27. Written (Mailed) Notification to Adjacent Property Owners for Public Hearings

(See Zoning Ordinance § 78-201.9, Public Notification)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.

What is written notification to adjacent property owners?

Many land use applications require a public hearing before the Town Council, Planning Commission, Board of Zoning Appeals or the Heritage Preservation/Architectural Review Board to gain approval. The Code of Virginia and the Town of Herndon Zoning Ordinance require that adjacent property owners receive written (mailed) notice of these applications.

Who is responsible for providing this notice?

The owner/applicant for the proposed application or their authorized agent must provide this notice for applications being considered by the Planning Commission and Town Council.

Notifications for applications that have been submitted for review by the Board of Zoning Appeals, the Heritage Preservation Review Board or the Architectural Review Board are provided by the Town staff.

When are the written notices required to be mailed?

Current regulations require that written notices be mailed to the adjacent property owners at least 15 days prior to the public hearing.

What are the requirements for providing written notice?

- The written notification must contain the date, place and time of the public hearing, a complete description of the application and clearly identify the property involved in the application. Please refer to § 78-201.9 of the Zoning Ordinance for detailed instructions.
- A certification of mailing must be furnished to the Zoning Administrator, at least five days prior to the public hearing, as stated in § 78-201.9.

Who qualifies as an adjacent property owner?

Owners of property touching the property in question, property owners directly across the street and, in the case of corner lots, diagonally across the street are considered adjacent properties. They may be located inside and outside of the Town boundaries.

Each property owner is to be identified using the maps and records currently on file in the Fairfax County Department of Tax Administration and shall be so noted on the certification of mailing.

Please refer to § 78-201.9 for additional regulations regarding properties adjacent to a condominium or planned development.

Are any fees required?

No.

How can someone receive written notice if they are not an adjacent property owner?

Any person, business or organization may receive notification of applications requiring public notification, by registering with the Zoning Administrator. The fee is \$25 for U. S. mail and \$10 for electronic mail per year. To continue receiving mail after the second year, you must re-register with the Zoning Administrator.

Need more information?

Have a question required permits, the permit process, or application requirements? Call or make an appointment to see a member of staff in the **Department of Community Development at 703-787-7380.**

Have a question regarding building permits or construction codes? Call or make an appointment to see the **Building Official at 703-435-6850.**

Visit the Town of Herndon on the web at www.herndon-va.gov for the Zoning Ordinance User Guide series or to access the Town Code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

User's Guide to the Zoning Ordinance Series:

1. Neighborhood Meetings and Public Participation in the Planning and Zoning Process
2. Zoning Map Amendments
3. Signs
4. Special Exceptions
5. Site Plan Review Procedures
6. Single Lot Development
7. Chesapeake Bay Provisions
8. Traffic Impact Studies
9. Subdivision Site Plans
10. Unified Commercial Subdivisions
11. Performance Guarantees
12. Heritage Preservation Regulations
13. Board of Zoning Appeals
14. Conducting a Business in the Home
15. Fences
16. Accessory Structures
17. Summary of Permitted and Allowed Uses in the Zoning Districts
18. Summary of Dimensional Standards in the Zoning Districts
19. Commercial Vehicle Parking in Residential Districts
20. Parking on Lots with Single-Family Detached Dwellings
21. Landscape and Buffer Requirements
22. Explanation of Variances, Waivers, Adjustments, and Exceptions
23. Fee Schedule
24. Temporary Use Permits, Special Events
25. Day Care, Child Care, Preschool and Home Day Care
26. Zoning Inspection and Zoning Appropriateness Permits
27. Written (Mailed) Notification to Adjacent Property Owners for Scheduled Public Hearings
28. Refuse Collection on Private Property
29. Exterior Lighting Standards
30. Vacating a Street Right-of-Way
31. Portable Storage Units
32. Building Location Surveys
33. Water Quality Impact Assessments
34. Chesapeake Bay Provisions for Homeowners: Step by Step Approval Process for Single Family Detached and Duplex Dwellings
35. Roll Off Dumpsters
36. Bed and Breakfast Establishments